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June 21, 2005

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**ELECTRONICALLY FILED  
(VIA ECFS)**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

**Re: MB Docket No. 03-15  
WWBT-DT, Richmond, VA (Facility ID No. 30833)  
Replication/Maximization Interference Protection Deadline**

Dear Ms. Dortch:

On behalf of Jefferson-Pilot Communications Company of Virginia ("JPCC-VA"), the licensee of digital television ("DTV") station WWBT-DT, Richmond, VA (Facility ID No. 30833) ("WWBT"), we hereby notify the Commission that WWBT is operating with digital facilities that serve 96% of the population served by its 1997 NTSC facility pursuant to its construction permit and has filed a license application to cover that permit. *See* FCC File No. BLCDDT-20041206AAY. However, for the reasons set forth below, a request for waiver of the replication/maximization interference protection deadline is not required.

Station WWBT currently operates on NTSC channel 12 and out-of-core DTV channel 54. WWBT's current DTV construction permit does not expire until November 4, 2007. *See* FCC File No. BPCDDT-20041102AEK. Thus, although WWBT is a top four network-affiliated station in one of the nation's top 100 markets that has chosen its analog channel for post-transition operation, the station is not subject to the requirement that it serve 100% of the population served by its 1997 NTSC facility by July 1, 2005. *See* Public Notice, *DTV Channel Election Issues – Compliance with the July 1, 2005 Replication/Maximization Interference Protection Deadline; Stations Seeking Extension of the Deadline*, DA 05-1636 (rel. June 15, 2005).

As explained in JPCC-VA's November 5, 2004 filing,<sup>1</sup> to allow the station to provide digital service replicating its NTSC Grade B service, WWBT was given a

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<sup>1</sup> The November 5 filing was submitted pursuant to the public notice regarding special circumstances surrounding FCC Form 381 certifications. *See*

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DTV allotment specifying an ERP of 1000 kW and an antenna height above average terrain ("HAAT") of 241 meters. The station's NTSC antenna, however, is top-mounted on its tower at 241 meters. Consequently, JPCC-VA installed WWBT's DTV antenna just below that level at a HAAT of 211 meters. Moreover, knowing that it would eventually be obliged to vacate out-of-core channel 54 and move back to channel 12 for digital operations at the end of the transition, WWBT prudently decided to conserve its resources and initially install and operate a lower powered DTV facility on channel 54. Accordingly, WWBT initially constructed and licensed its channel 54 facilities to operate with an ERP of 860 kW at a HAAT of 211 meters.

Pursuant to the FCC's replication/maximization interference protection requirement, WWBT understands that in order for it to "carry over" the full scope of interference protection of its DTV allotment contour to its post-transition channel 12 operation, the station must by November 4, 2007 (the expiration date specified in its construction permit) be operating with facilities on channel 54 that serve 100% of the population served by the 1997 NTSC facility upon which its DTV allotment was based. *See Public Notice, DTV Channel Election Issues – Compliance with the July 1, 2005 Replication/ Maximization Interference Protection Deadline; Stations Seeking Extension of the Deadline*, DA 05-1636 (rel. June 15, 2005). In order to meet this requirement, however, WWBT must not only operate at 1000 kW, but also must remove its NTSC antenna from the top of its tower and replace it with its DTV antenna.

The "swap" of WWBT's NTSC and DTV antennas would require the expenditure of significant resources and would serve to disrupt and impair the station's current level of analog service to the public. Accordingly, on November 2, 2004, WWBT submitted a DTV license modification application on FCC Form 301 to increase the station's ERP to 1000 kW while retaining its current DTV antenna HAAT of 211 meters. *See FCC File No. BPCDT-20041102AEK*. On November 4, 2004, the Commission granted the application and issued a new construction permit for the station.

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(Continued . . .)

Public Notice, *Electronic Mailbox Established for FCC Form 381*, DA 04-3495 (rel. Nov. 4, 2004).

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JPCC-VA promptly increased its power pursuant to the construction permit and filed an application for a license covering WWBT's 1000 kW operations. *See* FCC File No. BLCDDT-20041206AAY. With the facilities specified in its construction permit and pending license application, WWBT is currently providing DTV service to 96% of the population served by its 1997 allotment facility. JPCC-VA intends to operate WWBT with such facilities until the end of the transition, at which time it will "revert" to digital operations on channel 12 utilizing its top-mounted antenna and thereby provide service to 100% of its DTV allotment contour.

Although, as discussed above, a request for waiver of the replication/maximization interference protection deadline is not currently required, JPCC-VA is submitting this notification out of an abundance of caution. JPCC-VA intends to seek a formal waiver of the replication/maximization interference protection deadline in advance of the November 4, 2007 expiration date specified in its construction permit.

If there are any questions concerning this matter, please contact the undersigned.

Sincerely,

A handwritten signature in dark ink, appearing to read "John M. Burgett", is written over a printed name.

John M. Burgett

cc (by email): Shaun Maher